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10 United States of America

11 IN THE UNITED STATES DISTRICT COURT  
12  
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 DAVID RICHARD GARCIA JR.

18 Defendants.

19 CASE NO. 1:25-CR-00033-KES-BAM

20 STIPULATION TO CONTINUE STATUS  
21 CONFERENCE; AND ORDER

22 IT IS HEREBY STIPULATED by and between the parties that the status conference set for  
23 November 12, 2025 at 1:00 pm before the Honorable Barbara A. McAuliffe be continued to February 11,  
24 2026 at 1:00 p.m.

25 **STIPULATION**

26 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
27 through defendant's counsel of record, hereby stipulate as follows:

28 1. The parties need additional time to further investigate/explore matters related to resolving  
the case or setting a trial date, particularly:

29 a) The defendant is also charged in state court and the parties need time to explore a  
30 potential global resolution.

31 b) The government has extended a plea offer which expires February 3, 2026.

32 2. By this stipulation, defendant now moves to continue the status conference, and to  
33 exclude time from November 12, 2025 to February 11, 2026.

34 3. The parties agree and stipulate, and request that the Court find the following:

1                   a)     The government has represented that the discovery associated with this case  
2     includes investigative reports, and related documents, photographs, etc., in electronic form. All  
3     of this discovery has been either produced directly to counsel and/or made available for  
4     inspection and copying.

5                   b)     With respect to the additional time from November 12, 2025 to February 11,  
6     2026, defense would further like additional time for defense investigation, and the government  
7     does not object to the continuance on this basis.

8                   c)     An ends-of-justice delay is particularly apt in this case because:

- 9                   •     Defendant needs additional time to conduct additional investigation.

10                  d)     Based on the above-stated findings, the ends of justice served by continuing the  
11     case as requested outweigh the interest of the public and the defendant in a trial within the  
12     original date prescribed by the Speedy Trial Act.

13                  e)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
14     et seq., within which trial must commence, the time period of November 12, 2025 to February  
15     11, 2026, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and  
16     (h)(7)(B)(iv) because it results from a continuance granted by the Court at defendants' request on  
17     the basis of the Court's finding that the ends of justice served by taking such action outweigh the  
18     best interest of the public and the defendants in a speedy trial.

19                  4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
20     Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
21     must commence.

23                  Dated: November 3, 2025

24                  Respectfully submitted,

25                  ERIC GRANT  
26                  United States Attorney

27                  By     /s/ Robert L. Veneman-Hughes  
28                  ROBERT L. VENEMAN-HUGHES  
                        Assistant United States Attorney

1 Dated: November 3, 2025

/s/ Robert Lamanuzzi

2 ROBERT LAMANUZZI

3 Attorney for Defendant DAVID GARCIA

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5 **ORDER**

6 IT IS SO ORDERED that the status conference is continued from November 12, 2025, to  
7 **February 11, 2026 at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.**

8 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

9

10 IT IS SO ORDERED.

11 Dated: November 4, 2025

/s/ Barbara A. McAuliffe

12 UNITED STATES MAGISTRATE JUDGE